THE MYSORE LEGISLATIVE ASSEMBLY.

THIRTEENTH DAY

Wednesday, 15th March 1961.

The House met in the Assembly Hall, Vidhana Soudha, Bangalore, at Thirty Minutes Past Eight of the Clock.

MR. SPEAKER (Sri S. R. KANTHI, B.A., LL.B) in the Chair.

STARRED QUESTIONS

(to which oral answers were given)

RESTORING OF THE KHATE TO THE CULTIVATORS OF JODI MADAPURA IN BELUR TALUK.

* *Q.*—43. Sri B. N. BORANNA GOWDA (Belur).—

Will the Government be pleased to state:—

(*a*) whether it is a fact that Jodi Madapura in Belur taluk has been auctioned for Revenue arrears by the Government for about five years back;

(*b*) whether it is a fact that this Jodi village has been taken over by the Government and the ryots of that village are paying T. T. for the last 5 years;

(*c*) the difficulty in the way of declaring this village which is in the possession of the Government as Jodi village and restored Khata to the cultivators of those lands;

(*d*) whether it is not a fact that Government has recovered as T. T. from the cultivators of that village to the tune of Rs. 10,000 for the last 5 years?

A.—Sri KADIDAL MANJAPPA (Minister for Revenue).—

(*a*) The village was auctioned about 21 years ago.

(*b*) Yes.

(*c*) The village vests in Government and hence the question of declaring it as Jodi village does not arise. The question of confirming the lands to present occupants is under examination and necessary action will be taken.

(*d*) No. Only Rs. 3156-32 nP, has been recovered as T.T. for the last 5 years.

Sri B. N. BORANNA GOWDA.—Is it a fact that this village was taken twenty years ago?

† Sri KADIDAL MANJAPPA.—This was forfieted for arrears of land revenue.

Sri B. N. BORANNA GOWDA.—This village is under Government management for the last twenty one years. Why should not the rights be confirmed in favour of the tenants, this village being a Jodi village ?

Sri KADIDAL MANJAPPA.—There is no question of confirming the tenancy. It is a question of granting land on a permanent basis to the cultivators. I am going to ask the concerned people to give away the lands to the tenants who are actually cultivating the land on a permanent basis after recovery of occupancy price.

Sri B. N. BORANNA GOWDA.—Will the Government consider returning T.T. recovered from the cultivators ?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಸರ್ಕಾರಕ್ಕೆ ಬಂದ ಹಣ.....(ನಗು !)

ಅಧ್ಯಕ್ಷರು.—ಸರ್ಕಾರಕ್ಕೆ ಬಂದ ಹಣವನ್ನು ವಾಪಸು ಕೊಡುವುದು ಹೇಗೆ ಸಾಧ್ಯ.

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಕಾನೂನುಬದ್ಧವಾಗಿ ಸರ್ಕಾರಕ್ಕೆ ಬಂದ ಹಣವನ್ನು ವಾಪಸು ಕೊಡುವುದು ಕಷ್ಟ.

Sri B. N. BORANNA GOWDA.—Is not recovery of the amount unreasonable ?

Sri KADIDAL MANJAPPA.—It is not unreasonable.

Sri B. N. BORANNA GOWDA.—Will the Government consider the question immediately and give lands to cultivators ?

Sri KADIDAL MANJAPPA.—The only point to be considered is the question of granting lands to the tenants who are actually cultivating the lands.

Sri G. N. PUTTANNA.—Will the Hon'ble Minister states whether the tenants concerned were permanent tenants, *quasi* tenants or tenants-at-will. What the reason for the local officers to put up T.T. in such cases ?

Sri KADIDAL MANJAPPA.—I must frankly admit that the local officers have slept over the question. They ought to have taken some decision either to evict the tenants or dispose of the lands permanently or conform occupancy rights in favour of the tenants.

Sri G. N. PUTTANNA.—There is absolutely no question of evicting the tenants who are in possession and enjoyment of the property since Jodi was sanctioned to Jodidars. In such cases there is no additional sanction of tenancy rights. They are the permanent tenants or *quasi*-tenants or Kadim tenants. Why then was T.T. put up against them ?

Sri KADIDAL MANJAPPA.—Hon'ble Member who has sufficient experience in tenancy matters must be knowing that when land is

† Indicates that the remarks or speeches have not been revised by the Member concerned.

forfieted to Government for arrears of land revenue and sold all the rights vested on the land will be extinguished and neither the tenants nor the landlord can claim to have any right over the land.

Sri G. N. PUTTANNA.—I beg to differ from the Hon'ble Minister. When a Jodi village has been sold for arrears of quit rent, not for land reveune, the right of the Jodidar should be forfieted to the Government but not the right of the tenant.

Sri KADIDAL MANJAPPA.—I have already stated that I am in sympathy with the tenants and we will take steps to give them occupancy rights, no doubt, after recovering occupancy price.

Sri G. N. PUTTANNA.—Then is it not a necessity that the amount illegaly recovered must be refunded ?

Sri KADIDAL MANJAPPA.—I have not conceded that the amount was recovered illegally. Government is entitled to recover the amount from the persons who are in possession of the land.

Sri G. N. PUTTANNA.—You cannot give different answers for the same question. When the Jodi village was sold for arrears of quit rent, it is deemed that the entire amount has been recovered. If there is any arrear which ought to have been recovered from the land, then it should be recovered from the Jodidar and not from the tenants.

Sri KADIDAL MANJAPPA.— When the land is forfeited and sold to the Government takes over after the confirmation of the sale, the property vests in Government, free from all encumbrances. Government is entitled to recover either rent or T.T. fine from the persons who are in possession.

Sri G. N. PUTTANNA.—I beg to differ from the Hon'ble Minister, Sir;

Mr. SPEAKER.—No, no. It is not a question of differing. It is a question of asking for information.

Sri KADIDAL MANJAPPA.—Once a land is sold for arrears of quit-rent, Government becomes the owner.

Sri G. N. PUTTANNA:—In a jodi village, he takes the right of jodidars and not that of tenants. That is my question. It is the jodidars right that will be vested in the Government, not the right of tenants.

Sri KADIDAL MANJAPPA.—I have already answered that question. According to me, when the land if forfeited, it vests in Government free from all encumbrances. Government will become absolute owner of the land.